

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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DEBORAH DONOGHUE :  
: Plaintiff, : Case No. 17-cv-8708-AJN  
: v. : [rel. 17-cv-10083-AJN]  
FINISH LINE INC., :  
: Nominal Defendant, :  
MONECOR (LONDON) LIMITED :  
(TRADING AS ETX CAPITAL) :  
: Defendant.  
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**DEFENDANT'S NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the Local Rules of the Southern District of New York, and this Court's Individual Practices in Civil Cases, Defendant Monecor (London) Limited (trading as ETX Capital) ("ETX") hereby moves to be heard before the Honorable Alison J. Nathan, United States District Judge, located at the United States Courthouse, 40 Foley Square, Courtroom 906, New York, New York, at a date and time to be determined by the Court, for an Order granting ETX's motion to dismiss the Complaint herein in its entirety and with prejudice.

In support of this motion, ETX respectfully submits:

- (1) the accompanying memorandum of law; and
- (2) the accompanying request for judicial notice and supporting exhibits.

Dated: February 26, 2018

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Joseph E. Floren

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